

**REMARKS/ARGUMENTS**

Claims 1-4 and 6-21 stand in the present application, claims 1-3, 7-9 and 12 having been amended. Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

The rejection of claims 1-4, 6-10, 14, 15 and 17-21 under 35 U.S.C. §102 as allegedly anticipated by Reber ('006) is respectfully traversed – as is the rejection of claims 11-13 and 16 under 35 U.S.C. §103 based on the same Reber in view of Sweat ('636).

In the Office Action, the Examiner is now giving the term “automatically” patentable weight but the Examiner is taking the position that Reber in at least some facet utilizes a computer and thus meets the automatically term as used in the present claims. Accordingly, Applicant has further amended the present claims to more clearly patentably define over the cited art. More particularly, independent claims 1 and 7 have been amended, *inter alia*, to require “automatically arranging said first and second sets of stored media data or identifiers thereof . . . on the basis of the read relationship metadata.” Since neither Reber nor Sweat teach or suggest this feature of Applicants’ invention, the amended claims patentably define over the cited art taken singly or combination.

As noted previously, computerized film editing systems like that disclosed in Reber must provide editors with some way to reference a given segment of recorded material. As Reber repeatedly points out (see e.g. col. 4 lines 20-21), editors refer to segments of recorded material by specifying the physical source (e.g. tape A) and a

range of time (e.g. from time code 2 hours 7 minutes to time code 3 hours 27 minutes – see column 10 lines 62 and 63).

Reber indicates that then conventional media archival methods stored data about the source of a media file at the time the media file was generated (e.g. by making a digital recording of a pre-recorded piece of film). Presumably, this means that the user would type in a name for the source (e.g. tape A) and perhaps a time code indicating at what position on that tape the digital recording starts. As such, if another medium (e.g. videotape instead of film) had the same content on it, this relationship would have to be entered by the user when generating the media file from the videotape and when generating the media file from the film. This led to the problems discussed at col. 2 lines 16 to 25.

Reber overcomes these problems by using a 'Source Manager' to record, in a database, equivalences between a source specified by the editor (e.g. 'tape A, time code 2 hours 7 minutes to time code 3 hours 27 minutes'), and a media file. This is what is meant by col. 3 lines 53 and 54 cited by the Examiner. In addition, the Source Manager records the equivalence of content from different sources (see col. 8 lines 40 to 59). This enables the system to select, at the time the editor and producer generate a final sequence, a different, but equivalent source of a 'clip' specified by the editor and producer for inclusion in that final sequence. That is how the advantage set out at column 11 lines 39 to 49 (again referred to by the Examiner) is achieved.

The above explanation makes it clear that Reber and the presently claimed invention are fundamentally different. In Reber, an editor chooses the order in which content is to be included in the final sequence. Reber's apparatus provides a

mechanism for finding a suitable physical source for that content. In applicant's claimed invention, the order in which content is to be included in the final sequence is determined automatically on the basis of read relationship metadata. Reber simply does not teach or suggest this feature of Applicant's invention.

Sweat also does not teach the automatic arrangement of the composition of a media article on the basis of read relationship metadata – instead it provides a tool which assists a user in composing a media article. Sweat does not envisage that the computer will decide the order in which video clips are shown in a finalized application. Hence, Sweat does not solve the deficiency noted above with respect to Reber.

Accordingly, this entire application is now believed to be in allowable condition and a formal notice to that effect is respectfully solicited.

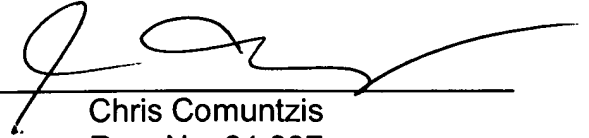
Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 1-4 and 6-21, standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

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Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'Chris Comuntzis', is written over a horizontal line.

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